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Date of Deposit: November 13, 2001

Attorney Docket No. CST-138 CIP2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST-NAMED INVENTOR: Comb *et al.*  
ASSIGNEE: CELL SIGNALING TECHNOLOGY, INC.  
FOR: PRODUCTION OF MOTIF-SPECIFIC AND CONTEXT-INDEPENDENT  
ANTIBODIES USING PEPTIDE LIBRARIES AS ANTIGENS

November 13, 2001  
Beverly, Massachusetts

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

jc760 U.S. PRO  
10/014485  
11/13/01

REQUEST FOR FILING A CONTINUING UTILITY APPLICATION  
UNDER 37 C.F.R. §1.53(b)

1. This is a request for filing a continuing application under 37 C.F.R. §1.53(b).  
(Check the appropriate boxes and supply the requisite information)  
This application is a:  
☐ Continuation; ☐ Divisional; ☒ Continuation-in-part of prior application U.S.S.N. 09/535,364, filed March 24, 2000, and U.S.S.N. 09/148,712, filed September 4, 1998, both presently pending.
2. Priority to the above application(s) is claimed under:  
☒ 35 U.S.C. §120  
Prior application information (for both):  
Examiner: T. Wessendorf; Group Art Unit: 1627.  
☐ 35 U.S.C. §119  
Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. §119.  
☐ The certified copy has been filed in prior application U.S.S.N. \_\_\_\_/\_\_\_\_,\_\_\_\_ on [Date].  
☐ The certified copy will follow.

APPLICATION ELEMENTS:

3. ☒ Specification and Drawings (Total pages: 113) (excluding application cover sheet):  
Specification (w/claims, abstract) (90 pages); Claims (10 pages); Abstract (1 page); and  
Drawings: 23 sheets; FIGS. 1A-29.  
☐ Formal  
☒ Informal

4. ☒ Nucleotide and/or Amino Acid Sequence Submission:
- ☒ *Computer-readable Copy:* The computer-readable copy of the Sequence Listing in the instant application is to be identical to that filed in application U.S.S.N. \_\_\_\_/\_\_\_\_, filed [filing date]. In accordance with 37 C.F.R. § 1.821(e), please use the computer-readable form filed in that application as the computer-readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application.
  - ☒ *Paper Copy:* A paper copy of the Sequence Listing is included in the copy of the originally-filed specification of the instant application (47 Pages)
  - ☒ *Statement:* A Submission of Paper/Computer Readable Sequence Listing with statement that the contents of the two are identical is enclosed herewith (2 Pages)
5. ☐ Microfiche Computer Program (*Appendix*)
6. ☒ Oath or Declaration (Total pages: 3):
- (a) ☒ Newly executed (original)
  - (b) ☐ Copy from a prior application (37 C.F.R. §1.63(d))
7. ☐ Incorporation by Reference (*can use if Box 6(b) is checked*)
- The entire Disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 6(b), is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS (37 C.F.R. §1.27(c)(1)):**

8. ☒ The undersigned attorney hereby asserts that Applicants' assignee is small business concern and is therefore entitled to small entity status.

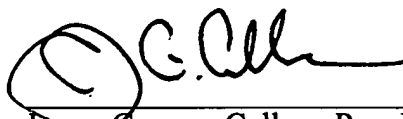
**ACCOMPANYING APPLICATION PARTS:**

9. ☐ English Translation Document (*if applicable*)
10. ☒ Information Disclosure Statement (IDS)
- ☒ Copy of IDS (5 pgs.) and PTO-1449 (4 pgs. , in duplicate)
  - ☒ Copies of references cited
  - ☐ Copies of relevant copending applications (unless relied on for §120 effective priority) (37 C.F.R. §1.98(d)(1))
11. Fee Calculation:
- ☐ A Preliminary Amendment is enclosed herewith. Please enter the claim amendments prior to calculating the filing fee.

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. 1.16(a) \$710.00
Total Claims (37 C.F.R. 1.16(c))	73	- 20 =	53	\$ 18.00	954.00
Independent Claims (37 C.F.R. 1.16(b))	20	- 3 =	17	\$80.00	1360.00
Multiple Dependent Claim(s), if any (37 C.F.R. 1.16(d))	Yes			\$270.00	270.00
SUBTOTAL:					<u>\$2584.00</u>
Reduction by 50% for filing by small entity:					- <u>\$1292.00</u>
TOTAL FEE:					<u>\$1292.00</u>

12. ☒ A check #028280 in the amount of \$1292.00 is enclosed.
13. ☐ Deletion of Inventor(s)  
This application is filed by fewer than all the inventors named in the prior application,  
37 C.F.R. §1.53(d)(4).  
☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_  
☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
14. ☒ The Commissioner is hereby authorized to credit overpayments or charge the  
following fees to Deposit Account No. 50-1774, Ref. No. CST-138 CIP2:  
☒ Fees required under 37 C.F.R. §1.16;  
☒ Fees required under 37 C.F.R. §1.17;  
☒ Fees required under 37 C.F.R. §1.18.
15. ☒ Return Receipt Postcard Enclosed.
16. ☐ Other Documents Enclosed:  
☐

Respectfully submitted,



Dated: 11/13/01

James Gregory Cullem, Reg. No. 43,569  
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Attached hereto for filing in the above-identified patent application is/are:

- ☒ Transmittal Letter (w/duplicate) (2 pages);
- ☒ Request for Filing a Continuing Utility Application (3 pages);
- ☒ Specification (90 pages);
- ☒ Drawings (23 sheets);
- ☒ Original Combined Declaration and Power of Attorney (3 pages);
- ☒ Paper Copy of Sequence Listing (47 pages);
- ☒ Disk Copy of Sequence Listing (1 disk);
- ☒ Submission of Paper Copy and/or Computer-Readable Copy of Sequence Listing for Invention Containing Nucleotide and/or Amino Acid (2 pages);;
- ☒ Information Disclosure Statement (5 pages);
- ☒ IDS Form PTO-1449 (w/duplicate) (8 sheets);
- ☒ Copies of IDS References CS, CT-CX (6 refs.);
- ☒ Check No. 028280 in the amount of \$1,292.00;
- ☒ Return Postcard.

Respectfully submitted,



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